

Congress of the United States
Washington, DC 20515

March 28, 2013

The Honorable Dave Camp
Chairman
Committee on Ways and Means
U.S. House of Representatives
1106 Longworth
Washington, D.C. 20515

The Honorable Sander Levin
Ranking Member
Committee on Ways and Means
U.S. House of Representatives
1106 Longworth
Washington, D.C. 20515

Dear Chairman Camp and Ranking Member Levin:

As members of the House Judiciary Committee, we are well-acquainted with issues pertaining to state taxation and their impact on interstate commerce. One such issue is the manner and rate in which states and localities are discriminatorily taxing wireless services. Currently, wireless consumers pay an average of 17.2% in taxes and fees, more than twice the rate of 7.4% on other goods and services.

Last Congress, we introduced H.R. 1002, the "Wireless Tax Fairness Act" to halt this trend by imposing a temporary, five-year freeze on new discriminatory taxes that are imposed only on wireless services. As a former San Jose County Supervisor and Arizona State Representative respectively, we are both sensitive to the taxing prerogatives of state and local governments; however, as the Federal Communications Commission (FCC) explained in the National Broadband Plan, "wireless broadband is poised to become a key platform for the innovation in the United States over the next decade." Clearly, wireless services are an important component of our domestic and global digital economy, and have become a major driver of economic growth and opportunity. This is especially true for minority and low-income Americans, who typically use wireless devices to access the Internet even more than other Americans.

H.R. 1002 was truly a model for bipartisan legislation. It enjoyed the support of 236 of our colleagues, many of whom are Ways and Means Committee members, and passed the House on the Suspension Calendar by voice vote on November 1, 2011. Despite the overwhelming support in the House, the Senate failed to take it up before it adjourned the 112th Congress.

In the coming weeks, we plan on reintroducing the "Wireless Tax Fairness Act" and are hopeful that Chairman Goodlatte and the Judiciary Committee will take it up expeditiously and move it to the Floor for consideration. As you know, the Senate Finance Committee will hold jurisdiction over the Senate companion bill. As your Committee continues its work on comprehensive tax reform, we respectfully ask that you keep this pro-consumer, pro-broadband legislation in mind as the Committee moves forward in its consideration with your counterpart, the Senate Finance Committee.

Sincerely,



Zoe Lofgren
Member of Congress



Trent Franks
Member of Congress